

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

RUSSELL GODFREY, Individually and §
as Representative of the Estate of §
PAMELIA GODFREY §
§ Civil Action No. 3-09CV0565-K
v. § JURY
§
AUTOZONE TEXAS, L.P. §

DEFENDANT AUTOZONE TEXAS, L.P.'S INITIAL DISCLOSURE RESPONSES

TO: PLAINTIFF, Russell Godfrey, by and through his attorney of record, Langdon Smith, Jim S. Adler & Associates, 2711 N. Haskell Ave, Suite 2100, Dallas TX 75204-2910.

AUTOZONE TEXAS, L.P. makes these their initial disclosures as required by the Federal Rules of Civil Procedure 26(a)(1)(A);

A. INDIVIDUALS WITH DISCOVERABLE INFORMATION

1. The name, and if known, the address and telephone number of each individual likely to have discoverable information relevant to the disputed facts alleged with particularity in the pleadings, identifying the subjects of the information that the disclosing party may use to support its claims or defenses, unless the use would be solely for impeachment:

AutoZone Texas, L.P.
c/o Henry S. Wehrmann
9330 LBJ Freeway, Suite 1400
Dallas, TX 75243
972-231-6001
Defendant. Has knowledge of the facts and circumstances of the accident, the sprinkler system operation, the condition of the roadway and the topography of the accident scene.;

Steve Crowley
c/o Henry S. Wehrmann
9330 LBJ Freeway, Suite 1400
Dallas, TX 75243
972-231-6001

Employee of Defendant AutoZone. Has knowledge of the sprinkler system, conducted inspection and testing of the sprinkler system subsequent to the accident in question.;

**Dallas County Sheriff's Department
and/or their records custodian
Frank Crowley Courts Building
133 N Industrial Boulevard, Lb 31 . 1st Floor
Dallas, Texas 75207-4313
214-653-3450**

Investigated the car accident; has knowledge of seatbelt usage of Decedent.;

**Ashley Duren
last known address;
2098 Nokes Rd.
Ferris, TX 75125
Telephone number unknown
Passenger in Decedent's vehicle at the time of the car accident;**

**E. Embry
Badge #521
Dallas Sheriff's Dept.
Investigator Vehicle Crimes Unit
Traffic Division
1512 E. Langdon Rd.
Dallas, TX 75241
972-225-6110**

Investigated the car accident; has knowledge of seatbelt usage of Decedent.;

**Sirrena English
2401 Sheilah Dr.
Balche Springs, TX 75180
214-774-7765
Witness identified by Plaintiff.;**

**Gail Glenn
Unknown address
Unknown telephone number
Father of Decedent;**

**Russell Godfrey
c/o Langdon Smith
Jim S. Adler P.C. & Associates
City Place Center, Lock Box 40
2711 N. Haskell Ave., Suite 2100**

**Dallas, TX 75204
214-220-3203
Plaintiff;**

**K. Gray
Badge #900
Dallas Sheriff's Dept.
133 North Industrial Rd.
Dallas, TX 75207
214-749-8641
Investigated the car accident; has knowledge of seatbelt usage of Decedent.;**

**Ron Harness
Building Official
City of Seagoville
702 N. Hwy. 175
Seagoville, TX 75159
972-287-6829
Has knowledge of the ordinances of the City of Seagoville as regards sprinkler systems and AutoZone's compliance with same.;**

**Robin Flemming Hebert
c/o Henry S. Wehrmann
9330 LBJ Freeway, Suite 1400
Dallas, TX 75243
972-231-6001
Employee of AutoZone. Inspected sprinkler system subsequent to the accident;**

**Loretta Hill
Unknown address
Unknown telephone number
Mother of Decedent;**

**Johnny Lucky
c/o Henry S. Wehrmann
9330 LBJ Freeway, Suite 1400
Dallas, TX 75243
972-231-6001
Employee of AutoZone, inspected sprinkler system in question.;**

**Julian Martin
c/o Henry S. Wehrmann
9330 LBJ Freeway, Suite 1400
Dallas, TX 75243**

972-231-6001

Store manager at the AutoZone store in question he also has knowledge of sprinkler operation;

J. Keith Pinckard, M.D., Ph.D.

5230 Medical Center Drive

Dallas, TX 75235

214-920-5900

Medical Examiner who examined Decedent;

Ray Pouland

c/o Henry S. Wehrmann

9330 LBJ Freeway, Suite 1400

Dallas, TX 75243

972-231-6001

Employee of AutoZone spoke with investigating officer, has knowledge of sprinkler system;

Matthew Randall

Badge # 534

and/or his records custodians

521 N. Industrial Blvd.

Dallas, TX 75207

214-749-8641

Physical Evidence Detective who investigated the car accident in question.

B. RELEVANT DOCUMENTS AND TANGIBLE THINGS

2. A copy of, or a description by category and location of, all documents, data compilations, and tangible things in the possession, custody, or control of the disclosing party and may use to support its claims or defenses, unless the use would be solely for impeachment:

Accident report generated by the Dallas Sheriff's Department relating to the collision and photographs of the accident scene taken by investigating officers attached hereto and bate stamped AZ-000001 through AZ-000147; autopsy report attached hereto as AZ-000150.

DVD marked "Pictures Disk 1" with pictures of sprinkler system testing at AutoZone store in question. There also exists a Video of the sprinkler system testing. However, the copy of the disk prepared for production was defective and Defendant will supplement with a better copy.

C. INFORMATION RELATED TO CALCULATION OF DAMAGES

3. A computation of any category of damages claimed by the disclosing party, making available for inspection and copying as under Rule 34 the documents or other evidentiary material, not privileged or protected from disclosure, on which each computation is based, including materials bearing on the nature and extent of injuries suffered:

Defendant has not prepared any computations at the present time as Defendant needs discovery from Plaintiff in order to accomplish same.

D. INSURANCE

4. For inspection and copying as under Rule 34, any insurance agreement under which an insurance business may be liable to satisfy all or part of a possible judgment in the action or to indemnify or reimburse for payments made to satisfy the judgement:

Defendant is self insured for this loss. There does exist an excess policy and a declarations page has been requested from the carrier and will be provided upon receipt.

Respectfully submitted,

STRADLEY & WRIGHT

By:

HENRY S. WEHRMANN, P.C.
State Bar No. 21076400
Abrams Centre
9330 LBJ Freeway, Suite 1400
Dallas, TX 75243
972/231-6001 Telephone
972/231-7004 Facsimile

**ATTORNEY FOR DEFENDANT
AUTOZONE TEXAS, L.P.**

CERTIFICATE OF SERVICE

A copy of the foregoing has been sent via facsimile and via certified mail, return receipt

requested, to all counsel of record on this _____ day of June, 2009.

HENRY S. WEHRMANN